

FAX TRANSMITTAL SHEETTO FAX NUMBER: 202-616-9937TO: Reudta Hesse, Trial Attorney PHONE NUMBER: _____LOCATION: Antitrust Division, Dept. of JusticeREMARKS: Please consider this Public Comment on
the US vs. Microst Antitrust Case.

_____FROM: Cvetan Pavloski FAX NUMBER: 216-479-2573DATE: 12/14/01 PHONE NUMBER: 216-479-2500 x5016TOTAL NUMBER OF PAGES 3 INCLUDING THIS PAGE.IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL BACK AS SOON AS POSSIBLE
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THANK YOU.

I've been reading some rather disturbing articles centered on the great US vs. Microsoft debate. While I agree with the decision of overturning their breakup, I do believe that stiffer penalties than the current settlement need to be considered. As much as a necessity to today's economy as Microsoft is, I believe they are a threat to many of the values that we as American's stand for.

Part of being an American is the freedom to choose. With Microsoft in control of the software there is no freedom to choose what operates your computer anymore (at least on the PC side). Microsoft has gained some of this monopoly through some innovation, but has gained far more through things that the general public never sees. Its new operating system represents a great step toward the future of computing, but also harbors many unseen pieces that force customers to register their computer configurations with Microsoft, and apply for a "passport" (Microsoft's idea for a one login for everything system). The storing of computer configurations is used for Microsoft's new product activation feature. While it will curb piracy, it doesn't seem like Microsoft explored all of the options for curbing said piracy. Intel made similar claims with its processor serial number they release in early Pentium III chips, but the general public rebuked Intel and what was perceived as a way to track average individuals. I could go on for a long time about the things that Microsoft does to keep it's position as a monopoly, but that's not the main reason I'm writing.

A recent development stems from an article I read yesterday on www.news.com. It involves Microsoft having its Windows Media Technology put into the chips of several major manufacturers to drive windows media from DVD disks and regular compact discs. This move alone needs to be looked at closely especially from an anti-trust point of view. I can't see how this will benefit a consumer at all, as current DVD players already play regular CDs and DVDs legally. Windows media on a DVD player can only be another way that Microsoft makes inroads to the home. We have computers which are run by Microsoft, now a Gaming console from Microsoft (Xbox), a Digital Video Recorder (Ultimate TV), and now they will be invading DVD players, too?

I would ask you to consider these facts. Windows Media is behind in use compared to the MP3 standard, which is an open standard that supports Fair Use. If Microsoft were able to allow their Windows Media into home DVD players, most companies may not choose to include MP3 support in the future in favor of the Windows Media. The reason for that is that Windows XP now only encodes windows media at the highest quality. MP3 recording in Windows XP only records at half the quality needed for good recordings. Once again Microsoft is leveraging their position in the market to get people to switch to their supported technology. People didn't choose Microsoft Internet Explorer over Netscape because it was better; they chose it because Microsoft made it convenient. That is not a bad thing for a consumer, but now businesses need to buy Microsoft's server software to take full advantage of Internet Explorer. Now the average consumer will think that Windows Media is better than MP3 because of the way that Microsoft cripples the format in Windows XP. This is unfair and dirty politics. This fact would cause manufacturers to choose the proprietary Windows Media for DVD players instead of MP3, the fair and open standard, A move that would cause Microsoft to have

more control of another piece of hardware in your living room. A motive that they have stated publicly for some time now. They want control over your entire home, from the TV to the microwave.

It is in Microsoft's best interest to do this, as that is what they want, and of course they make more money from their licensing schemes. Please don't let Microsoft get away with something like this. The penalties need to occur now in order to stop them from going so far out of control that we may never be able to reign them in.

Thank you,

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